

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



NOTICE LETTER TO ALTERNATE DRAFT RESOLUTION T-16897
COMMISSION AGENDA ID #4155

January 26, 2005

Subject: Alternate Draft Resolution T-16897 to Commission Agenda ID #4155

Alternate Draft Resolution T-16897 will be on the agenda of the Commission's **February 10, 2005** meeting. This alternate rejects a true up of the provisional permanent CHCF-B surcredit as it is inconsistent with D.98-09-039 and therefore, does not require Citizens Telecommunications Company of California to implement an additional surcredit rate of 2.95% for one year as addressed in the original draft resolution mailed on December 14, 2004. This alternate approves Citizens' requests in AL Nos. 722 and 732 to implement a permanent CHCF-B surcredit rate of 3.63% and a one-month CHCF-B surcharge rate of 1.72% to recover the over refunded amount to its customers during the three-month temporary catch-up surcredit period.

The Commission may vote on the resolution, or it may postpone a vote until later. When the Commission votes on a draft resolution, it may adopt all or part of it as written, amend, or modify it, or set it aside and prepare a different resolution (as in this case). The draft resolution, as well as conformed resolution when adopted by the Commission will be available on the Commission's website at www.cpuc.ca.gov. Only when the Commission acts does this resolution become binding on the parties.

Opening and Reply Comments

This Alternate Draft Resolution is available for public comments and due to the Commission by **February 1, 2005**. Reply comments will be due on **February 4, 2005**. Comments should be focused on factual, legal, and/or technical errors in the draft resolution. Comments must be limited to five pages in length and shall include a subject index listing the recommendations to the draft resolution, a table of authorities, and an appendix setting forth the proposed revised findings and ordering paragraphs.

If you wish to be served by parties filing opening and reply comments, please inform the Telecommunications Division, Public Programs Branch, of the California Public Utilities Commission by 12:00 noon on **January 27, 2004** of your request by e-mail to mhm@cpuc.ca.gov and tjs@cpuc.ca.gov or by mail to the address noted below. Otherwise, comments on Draft Resolution T-16897 will be addressed only to the Telecommunications Division as stated below. The date of submission is the date the comments are received by the Telecommunications Division. Parties must serve a copy of their comments to each requesting party, if any, as set forth on the Commission web site on the same date that the comments are submitted to the Telecommunications Division. The requesting party list, if any, will be available on the Commission web site at:

<http://www.cpuc.ca.gov/static/industry/telco/public+programs/index.htm> by 12:00 noon on **January 28, 2005**.

Opening comments to the Alternate Draft Resolution T-16897 must be received no later than **February 1, 2005** (which is 6 days from the date of this electronic mailing notice). Reply comments may be submitted on or before **February 4, 2005** (3 days after opening comments are submitted) and shall be limited to identifying misrepresentations of law, fact, or condition of the record contained in the comments of other parties. Replies shall not exceed three pages in length and shall be submitted and served in the same manner as opening comments.

Late-filed opening comments and/or reply comments will ordinarily be rejected. However, in extraordinary circumstances, a request for leave to submit comments or replies late may be filed together with proposed comments/replies. An accompanying declaration under penalty of perjury shall be submitted setting forth all the reasons for the late submission.

Request for comments by parties as well as opening comments and reply comments on Alternate Draft Resolution T-16897 should be addressed to:

Hassan Mirza
California Public Utilities Commission
Telecommunications Division
Public Programs Branch
505 Van Ness Avenue
San Francisco, CA 94102

Sincerely yours,

/s/ JACK LEUTZA
Jack Leutza, Director
Telecommunications Division

Enclosure

Notice letter mailed/emailed to the following parties:

Citizens Telecommunications Company of California, SBC, Verizon California Inc., SureWest Telephone Company, Cox California Telecom, LLC, AT&T Communications of California, MCImetro Access Transmission Services, LLC, CHCF-B Administrative Committee, and all parties that informed TD of their e-mail address in order to continue to be on the service list of R.95-01-020/I.95-01-021.